



650 Capitol Mall, 5th Floor
Sacramento, CA 95814
916.445.5511 FAX 916.445.7297
<http://calwater.ca.gov>

Agenda Item: 2
Meeting Date: December 8, 2005

CALIFORNIA BAY-DELTA AUTHORITY

November 10, 2005
650 Capitol Mall, Bay-Delta Room
Sacramento, California

MEETING SUMMARY

CALL TO ORDER AND OPENING REMARKS

Chairman Hunt called the meeting to order at 9:13 a.m.

1. INTRODUCTION / ESTABLISHMENT OF QUORUM

Public – Paula Daniels, representing the Southern California Region; Susan Kennedy, representing the San Francisco Bay Region; Alfred Montna, representing the Sacramento Valley Region; Bill Jones, representing the San Joaquin Valley Region; Patrick Johnston, representing the Sacramento-San Joaquin River Delta Region; and Marc Holmes and Daniel Wheeler, Members-At-Large.

Bay-Delta Public Advisory Committee Representative – Gary Hunt

State –Michael Chrisman, Secretary for Resources; Lester Snow, Director of the Department of Water Resources (DWR) and Rick Soehren, designee; Ryan Broddrick, Director of the Department of Fish and Game and Paul Stein, designee; Steve Shaffer, designee for A.G. Kawamura, Secretary for Food and Agriculture; and Dave Spath, designee for Sandra Shewry, Director of the Department of Health Services.

Federal –Susan Ramos, designee for Kirk Rodgers, Regional Director, Mid-Pacific Region, U.S. Bureau of Reclamation (USBR); Russell Strach for Rodney McInnis, Regional Administrator, Southwest Region, National Marine Fisheries Services; Judy Soutiere for Colonel Ronald Light, Sacramento District, U.S. Army Corps of Engineers; Karen Schwinn for Wayne Nastri, Region IX Administrator, U.S. Environmental Protection; and Steve Thompson, Manager of California-Nevada Operations Office, U.S. Fish and Wildlife Service.

Ex-Officio – Dennis O'Connor for Senator Sheila Kuehl, Chair of the Senate Natural Resources and Water Committee; and Senator Bob Margett, Vice Chair of the Senate Natural Resources and Water Committee.

2. ADOPTION OF OCTOBER 13, 2005 MEETING SUMMARY

The meeting summary as submitted was adopted later in the meeting when a quorum was achieved.

3. DIRECTOR'S REPORT

Chief Counsel Chris Stevens was asked by Joe Grindstaff, Director of the Authority, to provide an update on the Appellate Court ruling. He said the Appellate Court had denied the State's petition for rehearing, but had revised one statement in the opinion to delete the reference to "forced appropriation" of water as a source. Further, he said a petition for review would be filed by November 16 with the California Supreme Court. It typically takes 60 days for the court to determine if it will review the case. Mr. Stevens said he believed CALFED has strong grounds for appeal, but that the Supreme Court grants review of only a limited number of cases.

Director Grindstaff reported that DWR was releasing the draft environmental documents for the South Delta Improvements Program that day which details physical and operational proposals for improving water quality and fish protection in the South Delta.

4. LEAD SCIENTIST REPORT

Steve Ford, Acting Deputy Director for Science, provided the Lead Scientist' Report for Johnnie Moore, saying they had received 20-25 applications for the Lead Scientist position and are expecting more. Applications are under review and applicants will be selected for interviews in December and January.

He also noted the Interagency Ecological Program's (IEP) Pelagic Organism Decline (POD) workshop will be held November 14-15, featuring a panel of nine experts reviewing findings of its 2005 investigation for use in 2006 planning. Other public workshops scheduled include a DWR workshop on water acquisitions in December and a Delta science panel as a precursor to Delta Vision. He also said the recommendation to move to smaller, targeted Independent Science Boards was being deferred pending a new Lead Scientist being in place.

5. DESIGNATED FEDERAL OFFICER'S REPORT

Susan Ramos reported that at the previous day's Bay-Delta Public Advisory Committee meeting, the question had been raised on whether there would be a Federal response to the State's Independent Review of CALFED. She said discussions with Federal legislators will likely occur early next year regarding the CALFED revitalization effort. She said this information had come to her attention since the previous day's BDPAC meeting.

6. REVITALIZING CALFED

Director Grindstaff reported that all specific policy changes stemming from recommendations made by the Independent Review will be identified and recommended to the Authority next month, and then to the Administration for consideration in the Governor's Budget. He also said the Authority would be asked to make a recommendation to the Administration on the 10-Year Action Plan. Director Grindstaff said a steering committee of BDPAC would also meet before next month to review the Plan and provide input, which would then be followed by a December 1 meeting of CALFED member agencies. He said the Plan would deal with governance, program and fiscal management, refocusing of program priorities and a finance plan.

Representatives from the three organizations that conducted independent reviews reported to the Authority.

- Nancy Lyons, Deputy Executive Director of the Little Hoover Commission, reported that the Commission would meet November 17 to discuss the draft report and, depending on any additional revisions, may publish its conclusions on its website later that day. She said the report would focus on governance structure and analysis of challenges in governance going forward.
- Ralph Chandler, representing management consultants KPMG, said findings of their "As-is" review would be provided in a set of deliverables beginning in late November. Following adoption of the 10-Year Action Plan, KPMG will develop an implementation plan due in March 2006.
- Tom Dithridge, Rick Sierra and Erika Sperbeck of the Department of Finance summarized the DOF findings on implementation status of CALFED Years 1-5 and a corresponding fiscal review. They reported that the CALFED Program was not in balance based on the level of progress toward goals of ROD actions by program element. They concluded that only two program elements (Water Transfer and Watershed Management) had achieved a "high" degree of their ROD commitments. Three programs (Science, Conveyance and Levees) were found to be in the "low" category, with the remainder in the "medium" category. Mr. Dithridge said some ROD actions may be obsolete or unnecessary at this time, due to changes in circumstances.

Bill Jones voiced his concern that Storage and Conveyance Program Elements were behind schedule and that he recalled at least a decade of work on these elements to reach this point. He said he did not want to see this process drawn out further in any revision of deadlines in the ROD.

7. YEAR 5 CALFED PROGRAM PROGRESS AND BALANCE

Director Grindstaff reported on Year 5 Program progress and balance (a statement of which will be considered for adoption by the Authority at its December meeting), noting accomplishments in CALFED Program elements. The State's annual water supply has increased by 574,000 acre-feet, salmon runs are at record levels in the Sacramento River, levees have been strengthened, water quality improved and an innovative Environmental Water Account has been established. However, he said delays, unmet expectations and concerns still remain. The Independent Review has helped provide the means and ways to revitalize CALFED.

8. PROPOSED DIRECTED ACTION PROPOSAL SOLICITATION AND EVALUATION GUIDELINES FOR THE ECOSYSTEM RESTORATION PROGRAM

The Authority voted unanimously to recommend to the Department of Fish and Game adoption of the proposed guidelines for identifying, requesting and selecting proposals as directed actions to carryout the goals and objectives of the Ecosystem Restoration Program funded by Proposition 50.

9. RESOLUTION TO DEPARTMENT OF FISH AND GAME TO AWARD CALFED ECOSYSTEM RESTORATION PROGRAM GRANTS

The Authority voted unanimously to recommend that the Department of Fish and Game proceed with awarding the following three CALFED Bay-Delta Ecosystem Restoration Program grants funded by Proposition 50 that total \$8.1 million for the following projects: Llano Seco Ranch, \$2.6 million; Determination of Age Structure and Cohort Reconstruction of Central Valley Chinook Salmon Populations, \$736,298; and Lower Clear Creek Floodway Rehabilitation Project, \$4.8 million.

10. PUBLIC COMMENTS

There were none.

ADJOURNMENT

Chairman Hunt adjourned the meeting at approximately 12:17 p.m.